

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IVAN ASA EAVES, JR.,

Petitioner,

Case Number: 03-CV-72885

v.

HONORABLE PAUL D. BORMAN

WARDEN THOMAS G. PHILLIPS,

Respondent.

**ORDER DENYING WITHOUT PREJUDICE
PETITIONER'S MOTION TO AMEND BRIEF**

Petitioner Ivan Asa Eaves, Jr., has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Now before the Court is Petitioner's Motion to Amend Brief.

The Court has stayed proceedings in this action pending the Supreme Court's decision in Halbert v. Michigan, *cert. granted*, 125 S. Ct. 823 (Jan. 7, 2005) (No. 03-10198). The Court, therefore, shall deny Petitioner's motion without prejudice to his right to re-file the motion once the stay is lifted.

Accordingly, Petitioner's Motion to Amend Brief is **DENIED WITHOUT PREJUDICE**.

DATE: May 6, 2005

/s/ Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE